

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED MEETING AGENDA
APRIL 5, 2022
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**



*Gary Drewes, Chair, District 5
Lloyd LaCroix, Vice Chair, District 2*

*Ron Rossknecht, District 1
Deb Hadcock, District 3
Travis Lasseter, District 4*

Agenda disclaimer: The preferred practice of the Board is to proceed thru the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.

*Welcome to the April 5th, 2022 Board of Commissioners Meeting.
Please silence cell phones, pagers and other electronic communication devices.
Agendas are located at the back of the Chambers.*

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda
5. Executive Proclamation – National Telecommunicator’s Week (April 10-16, 2022)
6. 2022 Board of Equalization Oaths of Office – Auditor Cindy Mohler

The Board of Commissioners uses a **Consent Agenda** to act on non-controversial and routine items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The consent agenda contains the following items:

7. Minutes of the regular meeting – March 15, 2022
8. To assign 2022 budgeted long-term reserve accumulations in the General Fund: IT Equipment \$75,000; Inmate transportation bus \$125,000; Auditor software \$40,000; Treasurer software \$40,000; Human Resources compensation review \$15,000; Fire long-term reserve \$100,000 (AUD)
9. To acknowledge the Polling Place List as the official polling locations for the June 7, 2022 election (AUD)
10. To acknowledge the election agreements and that the Auditor’s Office will conduct a combined election for the Rapid City School District, the City of Rapid City, the Custer School District, the Hill City School District, the City of Hill City, and the City of Quinn to be held on June 7, 2022 (AUD)
11. To accept the recommendation for the appointment of Mr. Kevin Kuehn and Mr. Kevin Burton to the Pennington County Planning Commission (COM)
12. To acknowledge disinterment permit #1453427 (COM)
13. Approval of the Adopt-A-Highway Application for a portion of Sheridan Lake Road by The Black Hills Clean Water Alliance (HWY)

Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and need accommodations, please notify the Commissioners’ Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.



Scan the code to access the agenda packet online.

14. To approve the Joint Cooperative Agreement between the City of Rapid City and Pennington County regarding administration of the Byrne Justice Assistance Grant (JAG) Program Award (*SO*)

End of Consent Agenda

Regular Agenda Items:

15. Pennington County Housing and Redevelopment Commission Member Appointment – Ms. Germaine Little Bear
16. Sealed Bid Opening & Sale of Real Property - Tax Deed #27437 located at 684 N. Spruce Str., Rapid City, SD
17. Coronavirus State and Local Fiscal Recovery Funds (ARPA)
 - Box Elder Clean Water Priorities Request
 - Rapid Valley Sanitary District – Water System Expansion Request
 - Standard Allowance Election for Revenue Loss - \$10M (*AUD*)
 - Revenue Loss Allocation for County Jail Study needs (*AUD*)
 - Designation of ARPA funds for addiction treatment, mental health, administration of social services and public benefits (*AUD*)
18. Items From Auditor
 - a. Liquor License Public Hearings
 1. Special On-Sale Malt Beverage Retailers License – Rushmore German Club
 2. Transfer of Retail (on-sale) Liquor License – The Peak Grill & Rap Room
 3. New Retail (on-off sale) Malt Beverage & SD Farm Wine License – Rushmore Candy Company
19. Items From Emergency Management
 - a. COVID-19 Update
 - Any and all other business related to the COVID-19 virus
20. Items From Equalization
 - a. Abatement Applications – Tax Year 2021
 1. Iseman Homes Inc, Parcel# 8011555, \$722.40
 2. Ellsworth Development, Parcel# 6856, \$31.84
 3. Ryan Flick, Parcel# 41081, \$32.66
 4. Nicholas & April Kirchhevel, Parcel# 8008254, \$32.66
 5. Jorge Ucan, Parcel# 8011816, \$35.10
21. Items From Highway Department
 - a. Authorization to Purchase Ground Stabilizer
 - b. 2022 Bridge Improvement Grant Agreements
 - c. Agreement for accomplishing Rapid City Area Transportation Planning Process (Highway 1416 and Radar Hill Road Corridor Study)
 - d. Utility Relocation Agreement (South Rochford Road Reconstruction)

- e. Agreement for Right-Of-Way Monumentation (Sheridan Lake Road Reconstruction)

22. Items From Human Resources

- a. Compensation Presentation
- b. 2022 Compression Adjustment Steps

23. Items From Public

(A time for the members of the public to discuss or express concerns to the Board of Commissioners on policies and issues affecting County government and its function. Action will not be taken during this item on any issues brought forth that are not properly noticed.)

24. Items From Planning & Zoning – 10:30 a.m.
BOARD OF ADJUSTMENT HEARING(S):

- a. Appeal of Building Permit / COBP21-0652: Tina Bechly; Owner – Lex Burger
- b. Variance / VA 22-03: SDN Communications; Steve Angerhofer – Agent
- c. Variance / VA 22-04: Diamond Spur Lodge, LLC/Diamond Spur Properties, LLC; Alicia Edsen

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine Planning and Zoning items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The Consent Agenda for Planning and Zoning contains the following items:

CONSENT AGENDA:

- d. Layout Plan / LPL 22-05: Debra Pimentel. To subdivide and create Lots 13C and 13D of Battle Creek Mountain Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Layout Plan / LPL 22-05 with six (6) conditions.)*
- e. Layout Plan / LPL 22-06: Karen Fonseca; Allan and Becky Knutson; D.C. Scott Surveyors. To reconfigure lot lines to create Lot BR of Lot 1 and Lot CR of Lot 1 of Battle Creek Mountain Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Layout Plan / LPL 22-06 with eleven (11) conditions.)*
- f. Layout Plan / LPL 22-10: Joanie McVey; Jim Peterson - Agent. To subdivide and create Lots 1-12 of McVey Valley Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of the withdrawal of Layout Plan / LPL 22-10, per the request of the Agent.)*
- g. Layout Plan / LPL 22-07: Dale and Jillian Siemonsma. To subdivide and create Lots 1, 2, 3, and 4 of Oak Draw Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Layout Plan / LPL 22-07 with ten (10) conditions.)*
- h. Minor Plat / MPL 22-08: Diamond Spur Lodge, LLC; Diamond Spur Properties, LLC / Andrew and Alicia Edsen. To combine three lots to create Lot 9R of The Forks at Remmington Ranch Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations. *(Planning Commission recommended approval of Minor Plat / MPL 22-08 with seven (7) conditions.)*

- i. Public Hearing of Ordinance Amendment / OA 22-02: Pennington County. To amend Section 103 - Definitions and Section 303 – Multiple-Family Dwellings of the Pennington County Zoning Ordinance. (*Planning Commission recommended to continue Ordinance Amendment / OA 22-02 to the 4/19/22 BOC mtg*)

End of Consent Agenda

Regular Agenda Items:

CONTESTED HEARING(S):

- j. Public Hearing of Comprehensive Plan Amendment / CA 22-02: Bruce and Sandra Rampelberg; KTM Design Solutions – Agent. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.
- k. Public Hearing of Rezone / RZ 22-02: Bruce and Sandra Rampelberg; KTM Design Solutions – Agent. To rezone from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.
- l. Public Hearing of Planned Unit Development Overlay / PU 22-01: Nicholas and Romina Hobart. To allow a Planned Unit Development Overlay for a Specialty Resort to include four rental cabins and the existing single-family residence to be used as a Vacation Home Rental/caretaker/manager's residence in accordance with Section 216 of the Pennington County Zoning Ordinance. (*Cont. from the 3/15/22 BOC mtg*)
- m. Vacation of Section Line Right-Of-Way / VS 22-03 by Resolution: Slate Creek Partners, LLC. To vacate the Section Line Right-of-Way lying between Sections 21 and 28, T1N, R4E, BHM, Pennington County, South Dakota.
- n. Vacation of Section Line Right-Of-Way / VS 22-04 by Resolution: Mike and Lisa Gennaro. To vacate the Section Line Right-of-Way lying across Sections 14 and 23, T2S, R6E, BHM, Pennington County, South Dakota.
- o. Public Hearing of Major Planned Unit Development Amendment Review / PU 17-09: Big Horn Canyon Ministries, Inc. To review a church/place of worship in a Planned Unit Development District in accordance with Section 216 of the Pennington County Zoning Ordinance.
- p. Public Hearing of Planned Unit Development Overlay / PU 22-03: Nathan and Alexis Sobolewski. To allow a Planned Unit Development Overlay for a Specialty Resort to include 50 Recreational Vehicle sites, 25 rental cabins, a shower house, a wedding venue, a bar/saloon area, and a guide service on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.
- q. Public Hearing of Major Planned Unit Development Amendment / PU 22-02: Aaron Olson; KTM Design Solutions – Agent. To amend the existing Planned Unit Development to allow 20 full-service Recreational Vehicle sites; 5 cabins to be constructed within the existing 20' x 80' building; and a caretaker/manager's residence to include an office building in accordance with Section 216 of the Pennington County Zoning Ordinance.
- r. Public Hearing of Planned Unit Development Overlay / PU 22-04: John and Tracy Wiebe. To allow a Planned Unit Development Overlay to allow a Specialty Resort to include three tent spots, one tree house with living quarters, and a caretaker/manager's residence in accordance with Section 216 of the Pennington County Zoning Ordinance.

- s. Public Hearing of Planned Unit Development Overlay / PU 22-05: River Country Limited Partnership; Angela Lytle. To allow a Planned Unit Development Overlay to allow a Recreational Resort to allow Recreational Vehicles, a wedding venue, a Bed and Breakfast, and outdoor recreational activities in accordance with Section 216 of the Pennington County Zoning Ordinance in accordance with Section 216 of the Pennington County Zoning Ordinance.
- 25. 2022 Legislative Session Recap / Summer study topics
- 26. Items From Commission Manager
 - a. Policy & Procedure Update – Appointment Process for Committees, Boards, etc.
- 27. Items From Chair/Commission Members
(A time for individual members to bring forth ideas or concerns to the full Board. Official action will not be taken on any items brought forth at this time. Direction may be given to bring items back before the Board for future consideration.)
- 28. Committee Reports – Scheduled meetings by Commissioner
 - TL – Defense Symposium, Healthcare Trust Board, Community Health Center, EPA PFOS/PFOA Townhall
 - LL – Extension/4-H Advisory Board, Building Committee, Community Health Center, MacArthur Safety & Justice Challenge
 - GD – Central States Fair Annual Membership meeting
 - RR – PC Housing & Redevelopment, PC Council on Aging, Building Committee, Elevate Board of Directors
 - DH – PC Housing & Redevelopment, Planning Commission
 - ALL – BH Regional OHV Workshop
- 29. Approval of the Vouchers - \$619,296.66
- 30. Executive Session per SDCL 1-25-2
 - a. Personnel Issue per SDCL 1-25-2(1)
 - Annual Conference of Commissioners and Director of Equalization per SDCL § 10-3-14
 - b. Contractual/Pending Litigation per SDCL 1-25-2(3)
- 31. Adjourn